

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

UNITED STATES OF AMERICA)
)
)
v.) CRIMINAL NO. 2:16cr128-001
)
)
CHADWICK STANLEY GHESQUIERE)
Defendant)

GOVERNMENT'S SECOND POSITION ON SENTENCING

Dana J. Boente, United States Attorney for the Eastern District of Virginia, and Kevin M. Comstock, Assistant United States Attorney, responds to the guideline objections of the defendant to the guidelines.

First, the defendant clearly possessed more than one dangerous weapon at and around his residence and furthermore stored drugs that he dealt in his residence. The Adderall he provided as partial payment to Murder his wife was just *one occasion* where he was distributing drugs prescribed to him. He also did so previously for profit. So, the defendant clearly possessed one or more firearms during the commission of the drug offense that was connected to the drug offense.

United States v. Harris, 128 F.3d. 850 (4th Cir. 1997).

Second, the defendant directed the use of violence during the commission of Murder-For-Hire. On the first meeting, he went into to his residence (where he also stored drugs) to retrieve a firearm to be used to Murder his wife. At the next meeting to make further payment for Murder-For-Hire, he provided the controlled substances (Adderall) that had been previously prescribed to him. The enhancement applies.

Third, the government incorporates by reference photo exhibits previously filed in this case. See *US v. GHESQUIERE* 2:16mj00341 (Photo exhibits filed for Preliminary Hearing in Matter on 8/23/2016). Said exhibits included:

Exhibit 1 – Redacted Criminal Complaint (already on file in the case)

Exhibit 2 – Photo from Video Recording with CI

Exhibit 3 – Photo from Video of First Meeting with UC and CI (8/11/2016)

Exhibit 3A – Down Payment made to UC by Defendant

Exhibit 3B – Firearm Provided to UC by Defendant

Exhibits 4A through 4C – Photos from Video of 2nd Meeting with UC and CI
(8/16/2016)

Exhibit 4D – Photograph of Selected Items Provided to UC by Defendant, including address and car of Wife K M-G

Exhibit 4E – Photograph of 80 pills of Controlled Substances distributed/provided by Defendant

Exhibits 5A-5C – Selected Texts Between UC and Defendant phones

Exhibit 6A – Cell Phone Seized from Vehicle of Defendant

Exhibits 7A-7K – Items Seized from Residence of Defendant

Finally, the defendant should receive a guideline sentence despite his lengthy review of other Murder-For-Hire cases to seek leniency. As a Navy Petty Officer sworn to an oath, his conduct was particularly egregious, and service to his country (other than honorable) is clearly outweighed by the offenses of conviction that included using low cost Military life insurance and completely free medical care and prescriptions benefits to further his unlawful Murder for Hire and drug schemes.¹ Moreover, he his conduct transgressed the three core values of the Navy.²

¹ "I am a Petty Officer in the United States Navy, the strongest Navy in the world. I have the distinct privilege of being a leader of the finest Sailors anywhere. As such, I owe my Sailors leadership that they can depend on, trust, and follow. I will neither fear nor shun responsibility and I am always responsible for my actions. I am always fair and impartial when dealing with my Sailors; remembering not to accept full credit for a "A Job Well Done" without proper recognition of my Sailors first. I am loyal to my subordinates, peers, and those officers appointed over me. I cannot favor either; my integrity must be beyond reproach. I will fully support all Navy Regulations and Articles of the Uniform Code of Military Justice. I have the duty to correct and report all violations of these regulations that govern my Navy. I instill Esprit de Corps throughout the Petty Officer grades in the Navy; bearing allegiance to each other. I owe all of the above not to just myself, but to the United States, to my Navy, and to the Sailors who work for me."

² From those early days of Naval Service, certain bedrock principles or core values have carried on to today. They consist of three basic principles. **Honor, Courage and Commitment.**

We submit that a guideline sentence is wholly appropriate in his case.

Respectfully submitted,

DANA J. BOENTE
UNITED STATES ATTORNEY

By: _____ /s/
Kevin M. Comstock
Assistant United States Attorney
Virginia State Bar 39460
United States Attorney's Office
101 West Main Street, Suite 8000
Norfolk, Virginia 23510
Office Number - (757) 441-6331
Facsimile Number - (757) 441-6689
Email Address: Kevin.Comstock@usdoj.gov

CERTIFICATE OF SERVICE

I certify that on this 18th day of January 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

Keith Loren Kimball, Esquire
150 Boush Street
Suite 403
Norfolk, Virginia 23510

I certify that on this this 18th day of January 2017, I caused a true and correct copy of the foregoing Position of the Government with Respect to Sentencing Factors to be either *mailed or emailed* to the following:

Carmen I. Perez
U.S. Probation Officer
600 Granby Street
Suite 200
Norfolk, Virginia 23510

By: _____ /s/
Kevin M. Comstock
Assistant United States Attorney
Virginia State Bar 39460
United States Attorney's Office
101 West Main Street, Suite 8000
Norfolk, Virginia 23510
Office Number - (757) 441-6331
Facsimile Number - (757) 441-6689
Email Address: Kevin.Comstock@usdoj.gov